

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: August 2, 2012

Agenda Item: Proposed Tentative Fishing Regulation Changes for 2013

Division: Fish and Wildlife (Fisheries)

Action Needed: Approval of Proposed (Tentative) Rule

Time Needed on Agenda for this Presentation: 15 minutes

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Background

The fishing regulation process is based on a four-year cycle. The first year of each cycle is dedicated to a more robust review of the regulations during which FWP actively solicits ideas for changes from the public. During the following three years of the cycle (“off-cycle” years), the FWP only solicits ideas for changes from biologists, fish managers and enforcement personnel. Ideas for changes during off-cycle years must meet certain criteria before the FWP will propose them to the commission: change is needed to address enforcement needs; change provides clarification for regulations; change is important for conservation of a fish species; change addresses regulation that is no longer relevant; or change fulfills direction in a management plan.

Public Involvement Process & Results

Because the 2013 fishing season is an “off-cycle” year, ideas for changes were solicited internally (full public involvement will occur for the 2016 regulations). Although the public was not solicited directly, ideas received from the public were considered. Tentative regulation changes proposed by the Commission on August 2 will be posted on the FWP website for public review (30-day public comment period). Following public input, the FWP will revise the tentatives if necessary and propose final regulations to the Commission on October 11.

Alternatives and Analysis

The proposed regulation changes for 2013 are summarized below. More details are available in a separate document that lists each change (or new regulation) and provides the rationale for each proposed change.

- Bitterroot River (Western District): Extend a harvest section of the river to include Woodside FAS.
- Clearwater River (Western District): Change regulations to reflect the removal of Lake Inez fish barrier.
- Elk Lake (Central District): Expand catch and release regulation to include grayling.
- Red Rock Creek (Central District): Expand cutthroat trout harvest opportunities to protect grayling.
- Upper Red Rock Lake (Central District): Establish new regulations to allow harvest of cutthroat trout and catch and release angling for grayling.
- Widgeon Pond (Central District): Expand cutthroat trout harvest opportunities to protect grayling.
- Yellowstone River from YNP to Billings (Central District): Eliminate exception that currently allows 2 lines with 2 hooks per line all year from the mouth of the Clarks Fork River to I-90 Bridge at Billings.
- Fort Peck Reservation - Tribal Boundary Water Regulations (Eastern District): Change catfish harvest regulation in response to Fort Peck tribal staff interest in consistency with tribal fishing regulations and State of Montana regulations.

Agency Recommendation & Rationale

The proposed regulation changes address the conservation needs for a fish species, clarify current regulations, and/or are in response to regulations that are no longer relevant. FWP recommends that the Commission adopt the proposed changes as tentative changes and instruct the Department to solicit public comments.

Proposed Motion

I move to adopt FWP’s proposed tentative regulation changes for the 2013 fishing regulation year and instruct the Department to proceed with the public comment period.